

1 HB21  
2 208351-1  
3 By Representative Nordgren (Constitutional Amendment)  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 02-FEB-21  
6 PFD: 10/29/2020

SYNOPSIS: Under the Constitution of Alabama of 1901, only the Governor may call the Legislature into a special session.

This bill would propose an amendment to Section 122 of the Constitution of Alabama of 1901, to authorize the Legislature to call itself into a special session.

A BILL  
TO BE ENTITLED  
AN ACT

To propose an amendment to Section 122 of the Constitution of Alabama of 1901, to authorize the Legislature to call itself into a special session under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a

1 majority of the qualified electors voting thereon and in  
2 accordance with Sections 284, 285, and 287 of the Constitution  
3 of Alabama of 1901, as amended:

4 PROPOSED AMENDMENT

5 Section 122 of the Constitution of Alabama of 1901,  
6 is amended to read as follows:

7 "Section 122.

8 "(a) The ~~governor may~~ Governor, by proclamation, on  
9 extraordinary occasions, may convene the ~~legislature~~  
10 Legislature in a special session at the seat of government, or  
11 at a different place if, since ~~their~~ its last adjournment,  
12 that shall have become dangerous from an enemy, insurrection,  
13 or other lawless outbreak, or from any infectious or  
14 contagious disease; and he or she shall state specifically in  
15 ~~such~~ the proclamation each matter concerning which the action  
16 of that body is deemed necessary.

17 "(b) (1) The President Pro Tempore of the Senate and  
18 the Speaker of the House of Representatives, by joint  
19 proclamation, may convene the Legislature into a special  
20 session under the same conditions and limitations in  
21 subsection (a) and Section 76, as amended by Amendment 339. On  
22 the first day of the special session, each house shall adopt a  
23 resolution by a two-thirds vote of all members elected to each  
24 house affirming the convening of the Legislature, or the  
25 Legislature shall stand adjourned sine die.

1                   "(2) Nothing in this subsection shall affect the  
2 authority of the Governor to convene a special session under  
3 subsection (a)."

4                   Section 2. An election upon the proposed amendment  
5 shall be held in accordance with Sections 284 and 285 of the  
6 Constitution of Alabama of 1901, now appearing as Sections 284  
7 and 285 of the Official Recompilation of the Constitution of  
8 Alabama of 1901, as amended, and the election laws of this  
9 state.

10                   Section 3. The appropriate election official shall  
11 assign a ballot number for the proposed constitutional  
12 amendment on the election ballot and shall set forth the  
13 following description of the substance or subject matter of  
14 the proposed constitutional amendment:

15                   "Proposing an amendment to the Constitution of  
16 Alabama of 1901, to propose an amendment to Section 122 of the  
17 Constitution of Alabama of 1901, to authorize the Legislature  
18 to call itself into a special session under certain  
19 conditions.

20                   "Proposed by Act \_\_\_\_\_."

21                   This description shall be followed by the following  
22 language:

23                   "Yes ( ) No ( )."